AIM

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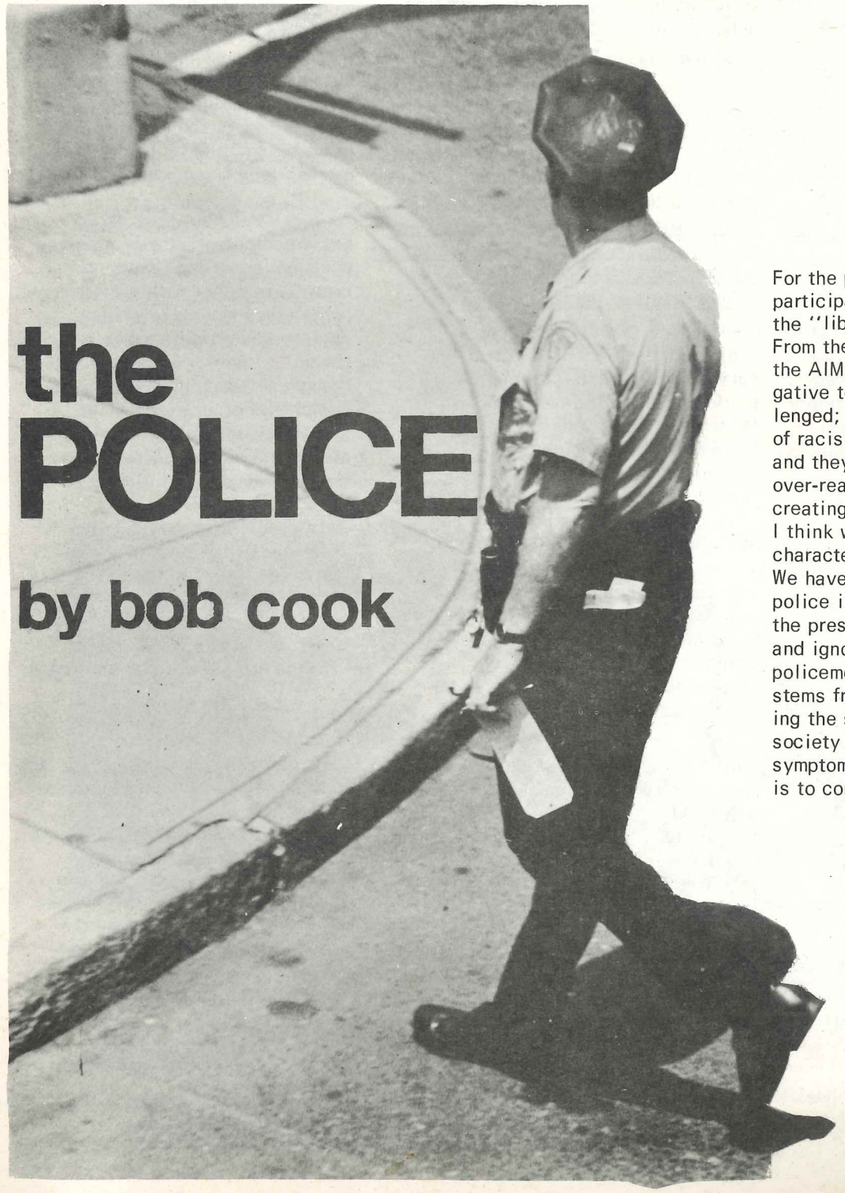


the POLICE

by bob cook

For the past several years, AIM has participated in what might be called the "liberal" attack on the police. From the Supreme Court on down to the AIM Newsletter, police investigative techniques have been challenged; the police have been accused of racism, brutality, even fascism; and they have been charged with over-reacting to riots, or even with creating police riots.

I think we have been mistaken in the character of our criticism of the police. We have misunderstood the role of the police in society; failed to appreciate the pressures acting on the police; and ignored the differences among policemen and police forces. All this stems from the basic error of attacking the symptoms of sickness in our society and not the cause of the symptoms. The purpose of this article is to correct those mistakes.

"The police are conservative defenders of the status quo"*

Police are hired by those in power to maintain the existing set of political, economic, and social relations in the society. The laws which they enforce are merely the codification of these relations. The state, for which they work, reserves for itself the use of force and violence as the legitimate authority.

The violence of the police and the state -- guns, clubs, mace, jails, execution, wars -- is therefore "legal" while all other violence is "illegal."

The police as we know them can be traced back to the late 1700's and 1800's in Europe when there was a great fear of the "dangerous classes" or the "mob." The propertied classes had up till then been doing much of their own police work. For example, in England a cavalry force called the yeomanry was made up of small landowners. But when the London police were formed in 1829, and when the same concept was later expanded to most of England, it was recognized that it would be best to interpose a professional police force between the rulers and the people. One manufacturer testifying before the Royal Commission in 1839 said:

"A great majority of the more serious disturbances originate in disputes between master and servant. The local magistracy is chiefly composed of the resident landowners and manufacturers, and the irritation of the workers against their employers is greatly increased when they find the person, with whom the disputes have arisen openly supported by, and giving directions to, the military, and subsequently punishing them for breaches of the peace, which would never have been committed unless such disputes had occurred. Ought the employer to be placed in such a situation? Is it likely that animosities would be allayed or peace maintained by it? What safety has the proprietor of machinery?"

The final report of the Royal Commission came to the same conclusion:

"In several instances where there was an effective resistance given to the rioters, we have been informed that animosities were created or increased, and rendered permanent by arming master against servant, neighbour against neighbour...The necessity for such painful and demoralizing conflicts between connected persons should be avoided by providing a trained and independent force for action in such emergencies."

(This and the above quotation are from Allan Silver, The Demand for Order in Civil Society, in Bordua, The Police.)

The role of the police, then, is to protect the rich from the poor, the employer from the worker, the haves from the have-nots, while at the same time deflecting attacks from those in power and onto the police. In a fundamentally unjust society, even the most impartial, professional, efficient enforcement of the laws by the police cannot result in justice.

For example, both Ronald Johnson and a group of General Electric executives were arrested for conspiracy to violate laws. The only concrete evidence against Johnson was that he was in possession of some dynamite. The General Electric executives were found to have engaged in conspiracies to fix prices in contracts valued at over $270,000,000. All were tried and found guilty. Johnson was sentenced to 8-12 years in jail; of the 32 executives found guilty, 30 were given jail sentences; 23 of these were suspended. The other seven served 30 days apiece.

Unlike the ordinary man with a criminal record, the executives were welcomed back by the business community. They went on to jobs like president of Le Tourneau Westinghouse, or executive-president of Yale & Towne.

The antitrust laws under which the executives were charged are a perfect example of class rule. They are supposed to control the power of large corporations to dominate markets and smaller businessmen. But in the fifty-six years from 1890 to 1946, only 198 defendants were sentenced to prison; only seven were businessmen, and all of their sentences were suspended. On the other hand, during the years 1933-1937, the militia or national guard was called out 82 times to put down strikes or disturbances of workers trying to organize (see photo).

Actually, the situation is even worse than this. Because of the peculiar nature of the heavy electrical equipment industry, the executives had to openly conspire to fix prices. But our entire economy is now based on a system of price-fixing called "administered prices" which is perfectly "legal".

As a general rule, stealing by businessmen and others of similar position, so called "white collar crime", is either within the law (which they may have written), punished by administrative action (firing or fines), or if actually brought to court, only lightly punished. For an executive to steal a million dollars carries less stigma than if you or I stole a loaf of bread.

As Victor Hugo said over 100 years ago, "The law, in its majestic equality, forbids the rich as well as the poor to beg, to sleep under bridges, and to steal bread."

"Police are second-class citizens."

Considering the magnitude of their job, and the dangers they face in their day-to-day duties, police ought to be well rewarded. Are they? In New Haven a patrolman's starting pay is $6,790 a year. After two years, he gets $7,190, and this is where he stays unless promoted. This is less than the median income in the U.S., and only a Captain or above makes more than the $9,200 required to live moderately well in a U.S. city (for a family of four). Though the police in New Haven, up to and including the rank of captain, are in a union, they are denied the right to strike. Further, under the Hatch act, their participation in organized politics is limited to voting. Official exceptions about and control of their behavior extend to much of their life and off-duty time. As Chief Ahern says, "Police generally accept 24 hours a day regulation of their conduct."

One reward is security. Police are not fired except for misconduct, and can retire after 25 years at 50% of salary, or, if they stay 10 more years, at 70% of salary (65 is the mandatory retirement age). During the depression, this feature attracted numerous college graduates--of three hundred police recruits in New York City in 1940, more than half had college degrees. But with postwar prosperity, this declined to less than 5% in the 1950's. One writer argues that the demand for "professionalism" of police in the 1940's and 50's was a direct result of the middle-class aspirations of the college graduates recruited during the 1930's.

And while their work may seem glamorous, police are also given the job of enforcing petty and irritating laws, such as traffic and parking regulations, which are not especially popular with the bulk of the people.

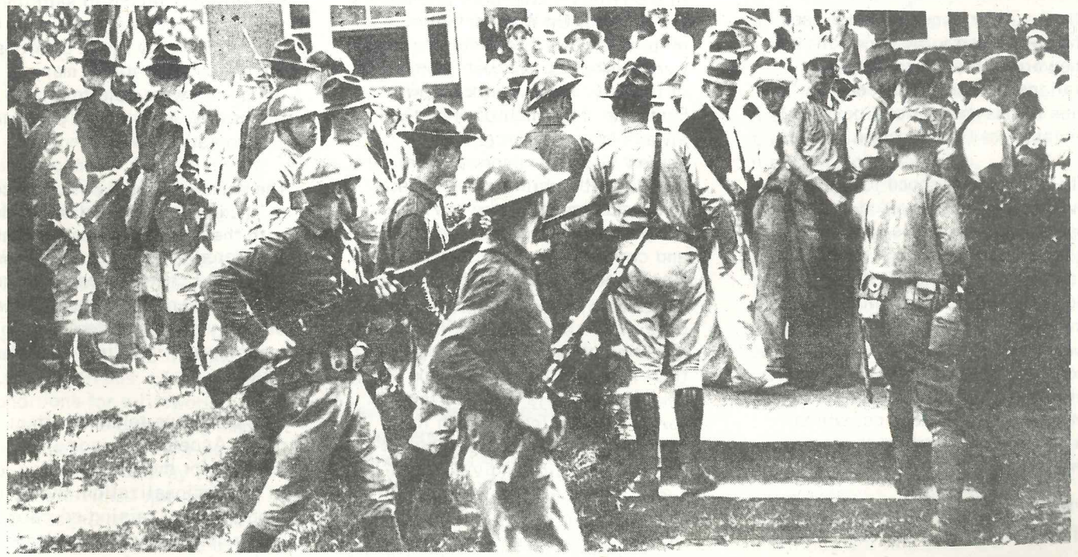
Given all this, recruitment of qualified people is a serious matter for police departments today. Recruits must have a high school diploma, no criminal record, and pass a battery of tests of physical and mental ability. For 22 vacancies this spring, New Haven had only 40 applicants (of whom 12 were Negroes, a sign that integration is coming to the Police force). Chief Ahern feels that the range of demands on police is now so wide, from office work to street patrol to community relations, that a more specialized system will have to be built up. For example, traffic authority; various desk jobs handled by regular civil service personnel.

All of this is not likely to solve the problems, however, nor is it likely to help the foot patrolman who confronts the people most directly. One policeman I spoke to recently described answering a trouble call in a bar. He entered to find himself facing four men, one of whom pulled a knife. After clubbing the man over the head, he made the arrest. When asked if anyone in the bar tried to help, he said, "When's the last time anyone ever tried to help a cop?"

"Police are human beings."

An obvious point, but one we often forget. Given the frustrations and pressures inherent in their jobs, police would do remarkably well to behave as civily as the rest of us. But they are really expected to behave better. All too often, common human characteristics, such as anger during an incident at the end of a long day, are projected as bad qualities of "cops".

More important, however, is that the police react to institutional and social pressures the way any of us do. Bureaucratic, quasi-military organizations, which police departments are, tend to make people officious and rigid in their application of rules, and anxious to please higher authority even if it is at the expense of the people they are supposedly serving. Thus a patrolman writing out a ticket for your car as you rush up is faced with either your abuse or censure from his superiors who force him to account for every ticket in his book. Many bureaucratic measures of efficiency, such as number of arrests and clearance rates (percent of criminal acts "solved"), lead to the application of the letter of the law rather than the spirit.



Workers Retreat After Southern Mill Riot

Striking mill workers sullenly give way before the bayonets of National Guardsmen, after the riot at the offices of the Woodside Mill, near Greenville, S.C., Sept. 7, 1934. The workers became unruly as they received their last pay before going on strike, and the troops were forced to use tear gas bombs before order was restored.

*This and the following quotations are from conversations with police officers in New Haven and Mt. Vernon, N. Y., including New Haven Police Chief James Ahern. Of course all interpretations are my own.

**I also found a number of books helpful, including David Bordua, The Police, Arthur Niedergoffer, Behind The Shield, Jerome Skolnick, Justice Without Trial, and Gene Radano, Walking The Beat.

The same is true of social attitudes. If the society is prejudiced against Italians, Negroes, or Jews, the police will be (and if the society calls them wops, niggers, and kikes, so will the police). If the society defers to the rich, well-dressed businessman or the president of Yale University, so will the police. If the society tolerates the breaking of certain laws (such as the continuous violation of the State Alcoholic Beverage Laws at Yale), so will the police.

Social situations which generally engender hostility will do the same with the police. Traveling in a radio car in a strange ghetto neighborhood, a patrolman can only be frightened. His contacts with the people, and theirs with him, come only when there is trouble. There develops a pattern of mutual mistrust and stereotypes which is continually reinforced, and which "human relations" programs will do little to combat. Under the circumstances, is it any wonder that both react violently? One police officer I spoke to told of stopping to break up a crowd of 30 Negro men gathered on a corner late at night. They jumped him, and he said that "Only my desire to live and my ability to hold onto my gun kept me from being killed." He is still reminded of the assault by a metal plate in his head used to repair a fractured skull.

On the other hand, we have seen the police use violence when they arrest Blacks in the Hill, Italians on Wooster Street, hippies on Asylum Street, or draft resisters at the Induction Center.

The old neighborhood foot patrolman supposedly avoided this by spending much of his time just getting to know people in the course of their regular activities. But as Chief Ahern points out, this view may be romantic. If there was basic mistrust, continuous contact might increase it. And besides, "the public wants more efficient police service, which we can provide only with more mobility."

"We're damned if we do and damned if we don't."

Most police recognize the ambivalence of the people toward them. And as they generally see people at their worst, there often develops what is called "police cynicism" about human nature and society.

We want the narcotics laws enforced, but complain about the system of informants set up by police among addicts. The people in Wooster Square call for strong action by the police against riots in the Hill, but get violently angry when the same police tactics are used on Wooster Street to enforce the fireworks laws. People attack police favoritism, then try to get favors for themselves. We want murderers found, but decry the backroom techniques often necessary to get information. We decry deaths on the highways, then abuse efforts to enforce the traffic laws. The legislators we elect make all sorts of laws about gambling, alcohol, contraceptives, motorcycle helmets, sex, and so on. Then when the police merely enforce these laws, we yell at the police.

The problem is compounded by the division of American society into numerous class and ethnic subcultures which exist in fact, but not in law. Sometimes, the police adjust to this fact by the selective enforcement of the law. In the Hill, parking laws and meters are ignored. On Wooster Street, up to this year, fireworks displays were winked at. Numbers abound in the city. In New York's Lower East Side, the smell of grass is always heavy in the air. Yale serves liquor to minors all the time. But it is in this very selective enforcement of the law that the potential for corruption abounds, and corruption in fact develops. Money, power, or prestige can sometimes buy non-enforcement of, say, the housing, health, or gambling codes. And if, for political reasons, a crackdown on certain people is desired, laws can always be found which they have violated. Also, some policemen may develop individual crusades because of their personality quirks. Supported by something like the "lascivious carriage" law in New Haven, they may pursue arrests far beyond the call of duty, or necessity.

"People color all cops blue."

Police, like all of us, are subject to being stereotyped. For example, many of us were upset when the New Haven Register presented our new police chief staring down the barrel of a gun at us. Yet Chief Ahern says the picture was taken on the range, one among many normal police functions. The selection of the picture as a lead was not expected by Ahern, and was the choice of the Register. The same thing is done so often to me, and to AIM, that we should have been much more hesitant to draw conclusions from the Register article.

The same goes for many other stereotypes about police. Some cops are corrupt. So are some professors. Some are brutal. But one officer I talked to said that in 20 years he had never used his gun, a club only once. On Wooster Street the other night, many of the police were able to talk to the crowd. Others were surly and antagonistic.

The same is true of police forces. If I had my choice, I'd rather deal with the New Haven police than the Waterbury police. Even though all police share essentially the same role and face the same problems, there are differences in organization, training, and administration.

This brings us to an important point. According to some, the cure-all for the ills of the police is professionalization. By increasing training, raising educational requirements, tightening standards, and applying modern management techniques, the police are to become more impartial and efficient in their administration of the law.

One result may be speedier apprehension of criminals. But efficient enforcement of all the laws is also likely to turn us into a policed society, with our freedom strangled by a myriad of rules and regulations, our behavior under constant observation. The New Haven Data Bank is a case in point. From the view of the police, charged with law enforcement, a central, rapid source of information on individuals is highly desirable. But for the rest of us, it is a nightmare. The same is true of the video-tapes now being made of all demonstrations by the New Haven Police Department. I don't doubt Chief Ahern when he says that his motives are to protect both the police and the public in case of violence, and to use them for training. But once those tapes are on file, it doesn't take much imagination to think of many other uses to which those in power could put them.

The police conception of order is essentially legalistic, bureaucratic, and semi-militaristic. It is true that the policemen operate much of the time as detached individuals rather than in units like the army. But they, like soldiers, find the ordinary life of the people chaotic. They are especially at odds with the spontaneous life which would characterize a real democratic city--street speakers, dances, meetings, and so on, taking place at the initiative of the people. Sure these are O.K., if they have a permit, but then we are right back into the morass of legalisms. For example, the conditions for a fireworks permit reflect the deadening emphasis on property rights over people rights. In order to display fireworks, an individual not only must be recognized by the state as a "competent operator", but must put up a $1,000 bond and show proof of adequate liability insurance.

Police who are aware of these problems will find themselves confronting the people more and more at two points: political conflicts and changing social values. Those on the edges of any society control only one thing-- their bodies. They effect change by joining with others in strikes, demonstrations, mass meetings, and sometimes riots. Progressive police ought to realize that these are the outgrowth of injustice, and they ought to protest against being used to supress the very political forces which are fighting for a more just society.

At the same time, they should try to avoid being used to enforce old social norms. For instance, the police who arrested Jim Morrison of The Doors for obscenity in the New Haven Arena could have avoided a lot of trouble if they ignored the whole thing.

Sometimes the police do enter the political arena as a pressure group, for example, with the gun laws. Chief Ahern ought to be commended for his stand opposing the issuing of pistol permits to almost anyone. (He has some leeway. The law requires that the gun be used "in a lawful manner" by a "suitable person", and that the permit be renewed each year.) But I would be much happier if the police position in favor of gun laws included a proposal to disarm themselves along with the rest of society.

Here we come full circle. If, as I said in the beginning, the police basically represent the status quo, to fully professionalize them, provide them with highly efficient techniques and masses of information, and to leave only them armed, is virtually to insure that the social changes this society needs will never come about.

On the arrest of a group of black teenagers:
"And you think that will solve the problem? You know where they live. If I had to live that way, I'd be in here too. It's the stinking conditions and the high rents for those rat-infested slums that produce this. Some people make a lot of money keeping it that way.

The ghetto is a garbage can. And the cops' job is to put the lid on that garbage can. Well, it won't work."

Frank Sinatra, as The Detective

In The Detective, Frank Sinatra is promoted as he quickly solves numerous murder cases. Finally he stumbles into a ring of the most powerful people in the city who are making fortunes by selling real estate to each other, continually raising the price until it is finally sold to the city for urban renewal projects. (As in New Haven, federal tax dollars are used by redevelopment to buy the land, and thus provide the profit.)

Sinatra trys to fight it as a detective, but finally sees that he has to turn in his badge if he really wants to attack the causes of slums, rather than just help to keep the lid on. Like many policemen I have met, he was an honest, hardworking, sensitive person, disgusted with much of what he saw. But like all such policemen, he was caught in a tragic dilemma.

It is ironic that over 100 years after the modern police were formed to combat the "dangerous classes" and the "mob", the police again find themselves cast in the same role. Much of the drive toward professionalism is being turned toward advanced riot control techniques--mace, fog, foam, instant banana-peel, people-glue, dye marking, high-intensity sound generators, tanks, riot training, radio control, and on and on. A leading expert in riot control techniques in the U.S. learned his trade during 12 years with the British Army in India and 12 years as head of riot control in Hong Kong.

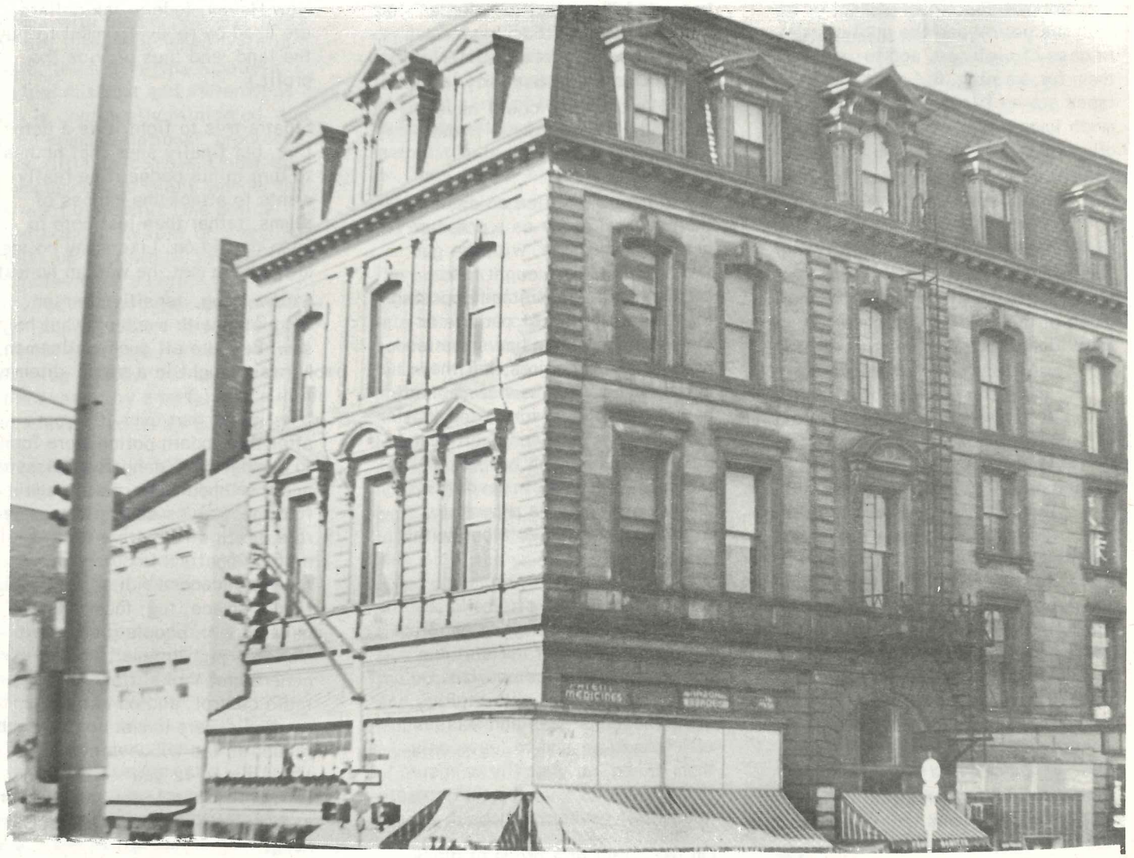
But we must remember that the police are only doing the job assigned to them. Attacks on the police are misplaced. The real questions are who controls the police, and what job are they given to do?

It is most important that the trend toward autonomy of the police be checked. In both New York City and New Haven, they are supposedly responsible to the Mayor. (In New Haven, he appoints the Police Chief and the Board of Police Commissioners.) But in both cities, the police act at times as though they were an independent body.

So one demand might be that the police become more directly responsive to the people, either through the Board of Aldermen or the new Neighborhood Corporations. Another effort might be made to work with the police to develop better understanding on their part of the diverse ways of life throughout the city, in return for which neighborhoods might be expected to promise self-policing of community activities (e.g., in Wooster Square, the police could stay out of the fireworks display; the neighborhood would promise that the streets would be kept open and that the fireworks would be contained in one place).

Finally, however, we know that only a truly human society will have truly humane police. To work for liberation of the American people, toward an equal, free, and open society, is to work for the liberation of the police as well. Maybe those who agree will join us.

Bob Cook



AIM OBIT

This irreplaceable brownstone building, the most recent casualty of the State Street Project, stood at the corner of State and Chapel Streets for 100 years. All that is left now is its 1868 date stone, which was reportedly bought for $100 by a nephew of Mayor Lee, from the wrecking company, which owns the building during demolition. New Haveners wishing to see other buildings of this period and quality are advised to visit the capitals of Europe.

Planners dubbed a new New Haven
"The Gateway to New England"
and left its formal christening
to reverent Knights of Columbus
(headquartered in that Elm City),
who poured libations of concrete
beside the sacred highway entrance:
four mammoth columns have risen,
a power and glory beheld for miles.

Yet all gospel is plagued by infidels,
so the Gateway faith must be defended
and ever-renewed by devout officials,
holding rites in the urban dominion,
converting heretic nooks and crannies
that once admitted other tenets
to tracts within their pious limits;
they root out traces of prior design,
sanctifying altars to orthodox progress.

Doubt spreads about the consecrated model.
Some remember the Empire Jesus challenged
in the tight zoned space of Roman order;
they plot ground for acts of deliverance,
are blocked by sprawling modern shrines:
so those rebels, driven to bombs or whimsy,
chose, and pasted colorfast vinyl flowers
one night up and down the ordained columns.

Elizabeth Rose
June 1968

FREE SCHOOL

The Free School is running a series of summer seminars for any member of the New Haven community, student or otherwise.

Any person may also suggest a new topic for a seminar he might be interested in participating in, whether he knows anything about that subject or simply is curious about it.

To enroll in one of the following seminars get in touch with its coordinator, whose name and phone number is listed after the group's name, or call the Free School at the Dwight Hall office, 787-3131 ext. 2116 or 2117.

Also call Dwight Hall if you have a suggestion for a new discussion group or project, or would like to participate in the organization of the Free School.

PROPOSED FREE SCHOOL SEMINARS

DANCE WORKSHOP--Candy Lerman, 776-8486. Meeting time: Mondays at 8.

FILM AND PHOTOGRAPHY WORKSHOP--Peter Rosen, 388-4741

CREATIVE POETRY--Valerie Batorewicz, 776-3395.

AFRICAN ART--Frank Dubinskas, 777-2873.

GUERILLA THEATRE AND ACTING no coordinator yet.

NEGRO HISTORY--Ron Kirchem, 787-2830.

MADNESS IN LITERATURE--Mike Holquist, seminar full.

SENSITIVITY TRAINING, T-GROUP--Denis Jaffe, 776-8486 or Pat Canavan, 787-3131, ext. 2410 or 562-3726 Several groups, meeting times to be arranged.

DRUGS AND EXPERIENCE--Jay Dougherty, 787-3131, ext. 2116. Meeting time: Tuesdays at 8.

FOLK MUSIC WORKSHOP--Valerie Batorewicz, 776-3395.

CALIGRAPHY --Anna Fleck, 288-1733

Between now and the end of August, 1,000,000 children will starve to death in Biafra unless food is sent there.

Send your contributions to:

Biafra Children's Relief Fund
c/o Box 262W The New Haven Register
367 Orange St.
New Haven

CHARLES LLOYD

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WOOLSEY HALL

OCTOBER 21!

Watch for details

AIM

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